

United States District Court

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COUNSEL FOR PLAINTIFF(S):

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COUNSEL FOR DEFENDANT(S):

Bruce P. Keller  
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Thomas F. Gristina  
William L. Tucker

Re: *Merial Limited, et al. v. Velcera, Inc., et al.*  
Civil Action No. 3:11-cv-157(CDL)

Dear Counsel:

The captioned case has been referred to arbitration pursuant to Local Rule 16.2. Under Local Rule 16.2.4 (a) each party is given twenty-one (21) days from the date of this letter to submit written notice of withdrawing from arbitration. This is accomplished by submitting a letter addressed to the Arbitration Clerk stating that party's desire to withdraw from arbitration. **If possible, please respond through our District's electronic filing system. After you have prepared your opt-out letter in .pdf form, go to the option for an arbitration opt out letter under ADR Documents, which is under Civil-Other Filings, and attach it to the docket entry.** Also, should you decide to not opt out at this time, please advise the Arbitration Clerk of any pending Motion to Dismiss. After twenty-one (21) days have expired and without notice of the desire to withdraw, or a pending Motion to Dismiss, the Arbitration Clerk will assist in selecting a certified Arbitrator to conduct a hearing. Upon selection of the Arbitrator, the Arbitration Clerk will contact the parties to schedule a hearing to be held within ninety (90) days from the date of final selection of the Arbitrator.

The arbitration process should not interfere with progression of discovery for it is anticipated that a certain amount of discovery will be completed prior to an arbitration hearing. However, extensive discovery is not necessary to conduct a hearing.

For additional information you may contact me at 478-752-0728.

Sincerely,

GREGORY J. LEONARD, CLERK

/S/

Holly R. McCarra  
Arbitration Clerk